

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SIDNEY L. COLEMAN and
LAKESHA M. JOHNSON,

Plaintiffs,
v.

ORDER

Case No. 18-cv-673-jdp

WISCONSIN DEPARTMENT OF
CORRECTIONS, et al.

Defendants.

Plaintiffs Lakesha M. Johnson and Sidney L. Coleman, a prisoner in the custody of the Dane County Jail, have submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff Coleman has filed a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. After considering the motion and supporting documentation, the court concludes that plaintiff Coleman qualifies for indigent status.

Even when a prisoner litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff Coleman's trust fund account statement, I conclude plaintiff's initial partial filing fee to be \$10.63. For this case to proceed, plaintiff Coleman must submit this amount on or before September 5, 2018.

ORDER

IT IS ORDERED that,

1. Plaintiff Sidney L. Coleman is assessed \$10.63 as an initial partial payment of the \$350.00 fee for filing this case. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$10.63 or advise the court in writing why plaintiff is not able to submit the assessed amount on or before September 5, 2018.

2. If, by September 5, 2018, plaintiff Coleman fails to make the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn from this action voluntarily.

3. No further action will be taken in this case until the clerk's office receives plaintiff Coleman's initial partial filing fee as directed above and the court has screened the complaint as required by the Prisoner Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 14th day of August, 2018.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge